

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JASON LEE NIEMAN,

Plaintiff

v.

KEITH HALE, *et al.*,

Defendants

§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 3:12-CV-02433-L

Judge: Hon. Sam A. Lindsay

Magistrate Judge: Hon. David L. Horan

DEFENDANT HALE’S REQUEST TO SUBMIT CORRECTIONS TO DKT. NO. 192

Defendants Keith Hale and Insurance Search Group (Hale and Insurance Search Group shall be referenced collectively herein, as “Hale”, or “Defendant Hale”) request of the Court leniency to correct an omission, correct an errant citation to a document on the record, and to re-format the “Conclusion” paragraph to meet rules governing the format of pleadings in Defendant Hale’s *Motion to Alter or Amend the Court’s Judgment Granting Plaintiff Nieman Voluntary Dismissal Without Prejudice [Dkt. No. 191]* (the “Motion”).

BACKGROUND

On 12:02 AM on July 17, Defendant Hale submitted his Motion [192]. After submittal Hale determined that three errors require correction.

- 1) An errant citation to a supporting document is found on Page ID 4325 (E)(1) at the close of the paragraph. The citation currently reads “(Transcript entered as Dkt. 172 App’x)” and should be changed to: (Transcript entered as Dkt. No. 183 App’x”).
- 2) The support for Page ID 4328 ¶ G NEW EVIDENCE, represents an editing failure. The paragraph is to be cut in its entirety. The correct supporting paragraph follows:

On April 13, 2015, the Illinois Court rendered a final ruling of summary judgment with prejudice in Defendant Hale’s favor in *Nieman v. Hale*, 11-L333, Circuit Court for the 10th Judicial Circuit of Illinois, Peoria County. (183, App’x at 1-22). In Nieman’s 5th Amended Complaint, Nieman accused Hale of (1) violations of the Illinois Human Rights Act 775 ILCS 5/ (*Id.*, App’x at 22 ¶¶ 2, 3), (2) intentional infliction of emotional distress (*Id.* App’x 17, ¶¶ 1, 2; App’x 18 ¶¶ 1, 2, 3), (3) violations of the RICO Act 18 U.S.C. § 1961 – 1969 (*Id.*, App’x at 10 ¶ 3 et seq.; App’x 15 at ¶2 et seq.), (4) malicious prosecution (*Id.*, App’x At 10 ¶ 1), and (5) abuse of process (*Id.*, App’x at 5 ¶ 2). The complete rejection of Nieman’s Illinois Action, as void of facts and replete with fiction, is impotent to support his instant case, a Title VII retaliation claim. As the Court remembers, Nieman’s Title VII Complaint lacks an employer, lacks an adverse action, lacks protected activity, lacks a causal link, and lacks injury or harm to Nieman. (121 at Page ID 2640, 2641).

- 3) The “Conclusion” Page ID 4341 is in the wrong format. These corrections have been made as follows:

“WHEREFORE, PREMISES CONSIDERED, for the reasons set forth herein, the Defendant requests *sua sponte* summary judgment with prejudice, with Plaintiff paying all legal fees incurred in this action and compensation for all pro se work expended by the Defendant.”

REQUEST

WHEREFORE, PREMISES CONSIDERED, for the reasons set forth herein, the Defendant requests, in the Court's discretion and leniency, for the Court to grant the submitted changes to Defendant Hale's Motion and accept the attached Exhibit as the active pleading in place of the former [192], or in the alternative accept the corrections submitted in this request, incorporating the corrections in the original pleading [192].

Respectfully Submitted this July 17, 2015

/s/ Keith Hale

Keith Hale, *pro se*
1064 West Winding Creek Drive
Grapevine, TX 76051
817 481 5000
keith@insearchgroup.com

CERTIFICATE OF SERVICE

Keith Hale, *pro se*, certifies that on this July 17 2015 he electronically filed the foregoing pleading and attachments with the Clerk of the Court for the Northern District of Texas, Dallas, by way of the Court's ECF/CM System.

Plaintiff Jason Nieman appears to have secured ECF/CM access and should receive copies of this filing and attachments via email. Delivery of the notice of electronic filing that is automatically generated by ECF constitutes service under Fed. R. Civ. P. 5(b)(2)(E) and fulfills LR 5.1.d.

/s/ Keith Hale

Keith Hale

1064 W Winding Creek Drive

Grapevine, TX 76051

817 481 5000

keith@insearchgroup.com